

Appl. No. : 09/878,719  
Filed : June 11, 2001

#### REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action. Claims 25 and 26 were pending in this application. Claim 25 is amended herein to further clarify a limitation regarding the central groove. Accordingly, Claims 25 and 26 are presented for further consideration. This Amendment is accompanied by a Request for Continued Examination (RCE).

#### Rejections under 35 U.S.C. § 112

Claims 25 and 26 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Specifically, these claims were rejected on the basis that the application lacks sufficient written disclosure for one of ordinary skill in the art to provide, without undue experimentation or burden, a cutout formed by a groove, whereby the leading edge of the groove extends forward to about longitudinally midway through the front half of the padding layer or that the groove is approximately one inch wide at a location midway between the front and back ends of the frame of the bicycle saddle.

In addition, Claim 25 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, Claim 25 was rejected on the basis that the phrase, “said leading edge of said groove extending forward to about longitudinally midway through said front half of said padding layer” is unclear and confusing.

Applicants do not concede that these rejections are correct. Nevertheless, in order to expedite allowance of this application, Claim 25 is amended herein. Applicants respectfully request reconsideration of the claims in view of the clarifying amendments to Claim 25. It is believed that in view of these clarifications, the rejections under 35 U.S.C. § 112 are moot, as the application adequately enables, describes and supports the claimed inventions.

#### Declarations Filed under 37 C.F.R. 1.132

According to the Examiner, the declarations signed by Carl Bird, Mike Sinyard and Eric B. Edgecumbe were insufficient to overcome the rejection of Claims 25 and 26 based on 35 U.S.C. § 112, first paragraph. Applicants respectfully disagree with the Examiner's conclusion

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regarding these signed declarations. As discussed, in view of the amendments to Claim 25, Applicants submit that the declarations are unnecessary and the application is in condition for allowance. Thus, any issue regarding the Declarations is moot. However, Applicants reserve the right to submit the same or similar declarations at a later time.

### CONCLUSION

As discussed, this response is accompanied by a Request for Continued Examination (RCE). In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are in condition for allowance. Applicants respectfully request reconsideration of the claims in light of the amendments and the above remarks. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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